

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.1765 OF 2014
IN
FIRST APPEAL NO.523 OF 2014**

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders.
---	----------------------------

Mr.P.J.Thorat for the applicant

CORAM : K.K.TATED, J.
DATED : 7TH JANUARY, 2015

PC:

- 1 Heard the learned counsel for the applicant.
- 2 Though respondents are duly served, no one appeared on behalf of them when the matter was called out.
- 3 Considering the submissions made by the learned counsel for the Applicant and as ad interim relief is granted by this court on 8th October, 2014, I am satisfied that the applicant has made out a case for confirming the ad interim relief till the hearing and final disposal of the First Appeal, Hence, following order:
A) Ad interim relief granted by this court on 8th October, 2014 in terms of prayer clause (a) of Notice of Motion No.2656 of 1998 in S.C.Suit

No.3028 of 1998 to continue till the hearing and final disposal of the First Appeal. Prayer clause (a) of the Notice of Motion reads thus:

“(a) That pending the hearing and final disposal of the suit, this Hon'ble Court be pleased to grant temporary and permanent injunction restraining the Defendants from alienating, encumbering, dealing with, disposing and/or carrying on construction on the existing structure in their occupation by putting up Stone Masonary plinth and Brick Masonary Wall and roof thereupon and/or carrying out any kind of additions, alterations in the structure occupied by them.”

B) Civil Application is disposed of accordingly.

(K.K.TATED, J.)